

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

MICHAEL DUANE, of the Strain)	
family,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-21-494-G
)	
)	
MICHAEL SIZEMORE,)	
)	
Respondent.)	

ORDER

On May 14, 2021, Petitioner Michael Duane, a state prisoner, filed this action seeking federal habeas corpus relief. *See* Pet. (Doc. No. 1). In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Gary M. Purcell for preliminary review.

On June 8, 2021, Judge Purcell issued a Report and Recommendation (Doc. No. 7), in which he recommended the habeas petition be dismissed based upon Petitioner's failure to prosecute, failure to arrange payment of the filing fee, and failure to comply with the Court's orders. In the Report and Recommendation, Judge Purcell advised Petitioner of his right to object to the Report and Recommendation by June 28, 2021. Judge Purcell also advised that a failure to timely object would constitute a waiver of the right to appellate review of the factual findings and legal conclusions contained in the Report and Recommendation.

All filings and orders docketed in this matter have been mailed to Petitioner at the address provided by him to the Clerk's Office. As of this date, all of those mailings have

been returned as undeliverable. Petitioner has not submitted any objection to the Report and Recommendation or sought leave for additional time to do so.

CONCLUSION

Accordingly, the Report and Recommendation (Doc. No. 7) is ADOPTED in its entirety. This action is DISMISSED. A separate judgment shall be entered.

IT IS SO ORDERED this 12th day of July, 2021.



CHARLES B. GOODWIN
United States District Judge